

Knobbe Martens Olson & Bear LLP
Intellectual Property Law**RECEIVED**
CENTRAL FAX CENTER
AUG 15 2005550 West C Street
Suite 1200
San Diego CA 92101
Tel 619-235-8550
Fax 619-235-0176
www.kmob.com**FACSIMILE TRANSMITTAL SHEET****CONFIRMATION COPY WILL FOLLOW VIA:**

- | | |
|--|---|
| <input type="checkbox"/> MAIL | <input checked="" type="checkbox"/> WILL NOT FOLLOW |
| <input type="checkbox"/> INTERNATIONAL AIRMAIL | <input type="checkbox"/> HAND DELIVERY |
| <input type="checkbox"/> COURIER | <input type="checkbox"/> WITH ENCLOSURES |
| <input type="checkbox"/> E-MAIL | <input type="checkbox"/> WITHOUT ENCLOSURES |

Confidentiality Notice:

The documents accompanying this facsimile transmission contain confidential information which may be legally privileged. The information is intended only for the use of the recipient named below. If you have received this facsimile in error, please immediately notify us by telephone to arrange for return of the original documents to us; and any disclosure, copying, distribution or the taking of any action in reliance on the contents of this faxed information is strictly prohibited.

TO: USPTO
FACSIMILE NO.: (571) 273-8300
OUR REF.: NAGACO.060A
APPL NO.: 10/035,836
FROM: Michael L. Fuller
OPERATOR: Connie Nuckels
DATE: August 15, 2005

NO. OF PAGES: 11 (incl. cover sheet)

IF YOU DID NOT RECEIVE ALL OF THE PAGES PLEASE CALL BACK IMMEDIATELY
OPERATOR PHONE NO.: (619) 235-8550 FACSIMILE NO.: (619) 235-0176

MESSAGE:1868316
081505Orange County
949-760-0000San Francisco
415-954-4114Los Angeles
310-551-3450Riverside
951-781-9231San Luis Obispo
805-547-5580**BEST AVAILABLE COPY**

Docket No.: NAGACO.060A

AUG 15 2005 Page 1 of 2

Please Direct All Correspondence to Customer Number 20995

AMENDMENT / RESPONSE TRANSMITTAL

Applicant : Werner, et al.
 Appl. No. : 10/035,836
 Filed : December 21, 2001
 For : SURFACE ASSEMBLY FOR
 IMMOBILIZING DNA CAPTURE
 PROBES AND BEAD-BASED
 ASSAY INCLUDING OPTICAL
 BIO-DISCS AND METHODS
 RELATING THERETO
 Examiner : B. J. Forman
 Group Art Unit : 1634

CERTIFICATE OF FAX TRANSMISSION

I hereby certify that this correspondence and all
 marked attachments are being transmitted via
 facsimile to the USPTO Central Fax No.
 (571) 273-8300 on the date shown below:

August 15, 2005

Michael L. Fulker, Reg. No. 36,516

Mail Stop AF
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing in the above-identified application are the following enclosures:

(X) Amendment in eight (8) pages.

The fee has been calculated as shown below:

The present application qualifies for Small Entity Status under 37 CFR 1.27.

FEE CALCULATION				
FEE TYPE		FEE CODE	CALCULATION	TOTAL
Excess Claims > 20	12 - 69 = 0	2202 (\$25)	0 x 25 =	\$0
Independent > 3	2 - 25 = 0	2201 (\$100)	0 x 100 =	\$0
1 Month Extension	1.17(a)(1)	2251 (\$60)		\$60
TOTAL FEE DUE				\$60

(X) An extension of time is hereby requested by payment of the appropriate fee indicated above.

(X) Charge \$60.00 to Deposit Account No. 11-1410.

BEST AVAILABLE COPY


Docket No.: NAGACO.060A
App. No.: 10/035,836

August 15, 2005

Page 2 of 2

Please Direct All Correspondence to Customer Number 20995

- (X) Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.



Michael L. Fuller
Registration No. 36,516
Attorney of Record
Customer No. 20,995
(619) 235-8550

1868184/cfm/081505

NAGACO.060A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Werner, et al.
Appl. No. : 10/035,836
Filed : December 21, 2001
For : SURFACE ASSEMBLY FOR
IMMOBILIZING DNA
CAPTURE PROBES AND
BEAD-BASED ASSAY
INCLUDING OPTICAL BIO-
DISCS AND METHODS
RELATING THERETO
Examiner : B. J. Forman
Group Art Unit : 1634

CERTIFICATE OF FAX TRANSMISSION

I hereby certify that this correspondence and all
marked attachments are being transmitted via
facsimile to the USPTO Central Fax No.
(571) 273-8300 on the date shown below:

August 15, 2005

Michael L. Fuller, Reg. No. 36,516

AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Final Office Action mailed on April 13, 2005. Kindly amend
the application as follows:

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 4 of this paper.

08/16/2005 TL0111 00000049 111410 10035836

01 FC:2251

60.00 DA

BEST AVAILABLE COPY